

Jun 10, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STACY B.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:18-CV-3231-FVS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion for Remand, ECF No. 11. Based on the stipulation of the parties, the Court finds good cause to grant the motion. Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Stipulated Motion for Remand, **ECF No. 11**, is **GRANTED**.

2. This case is **REVERSED** and **REMANDED** for further administrative proceedings including a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g).

3. On remand, the Administrative Law Judge shall further evaluate the medical source opinions of record, including but not limited to Martin Cahn, M.D., Shobe Subramanian, M.D., Braden Nago, M.D., and

1 Norman Staley, M.D., taking into account the District Court's rationale in
2 its prior remand order (Civil Action # 1:15-CV-03040). The
3 Administrative Law Judge will provide rationale and specific reference to
4 evidence of record supporting the weight afforded to these medical
5 source opinions; further evaluate the claimant's statements, as necessary;
6 further evaluate the claimant's residual functional capacity; if warranted,
7 obtain medical expert testimony to resolve any inconsistencies; and if
8 warranted obtain vocational expert testimony. If a fully favorable
9 decision is not issued after remand, the claimant will be given a new
10 hearing.

11 4. Upon proper presentation, this Court will consider Plaintiff's application
12 for costs, expenses, and reasonable attorney's fees under the Equal
13 Access to Justice Act, 28 U.S.C. § 2412(a), (d).

14 5. Plaintiff's Motion for Summary Judgment, **ECF No. 10**, and the hearing
15 and remaining briefing schedule are **vacated** as moot.

16 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
17 Order and provide copies to counsel. Judgment shall be entered for Plaintiff and
18 the file shall be **CLOSED**.

19 **DATED** June 10, 2019.

20 s/ Rosanna Malouf Peterson
21 ROSANNA MALOUF PETERSON
United States District Judge